

CASE NUMBER: 15SN0623

APPLICANT: Wilma Raucci



**STAFF'S ANALYSIS
AND
RECOMMENDATION**

Board of Supervisors (BOS)

Public Hearing Date:

MAY 27, 2015

BOS Time Remaining:

365 DAYS

Applicant's Contact:

WILMA RAUCCI

(804-382-2477)

Planning Department Case Manager:

RYAN RAMSEY (804-768-7592)

CHESTERFIELD COUNTY, VIRGINIA

Magisterial District: **BERMUDA**



APPLICANT'S REQUEST

Conditional use to permit a family day-care home in a Residential (R-7) District.

A family day-care home to allow the keeping of up to 12 children, incidental to a dwelling, is planned (Proffered Condition 4). The applicant has operated a licensed family day-care home on the property since 1992 without the requisite conditional use approval.

(NOTES: A. Conditions may be imposed or the property owner may proffer conditions.

B. Proffered conditions are located in Attachment 1)

RECOMMENDATION

PLANNING
COMMISSION
(4/21/15)

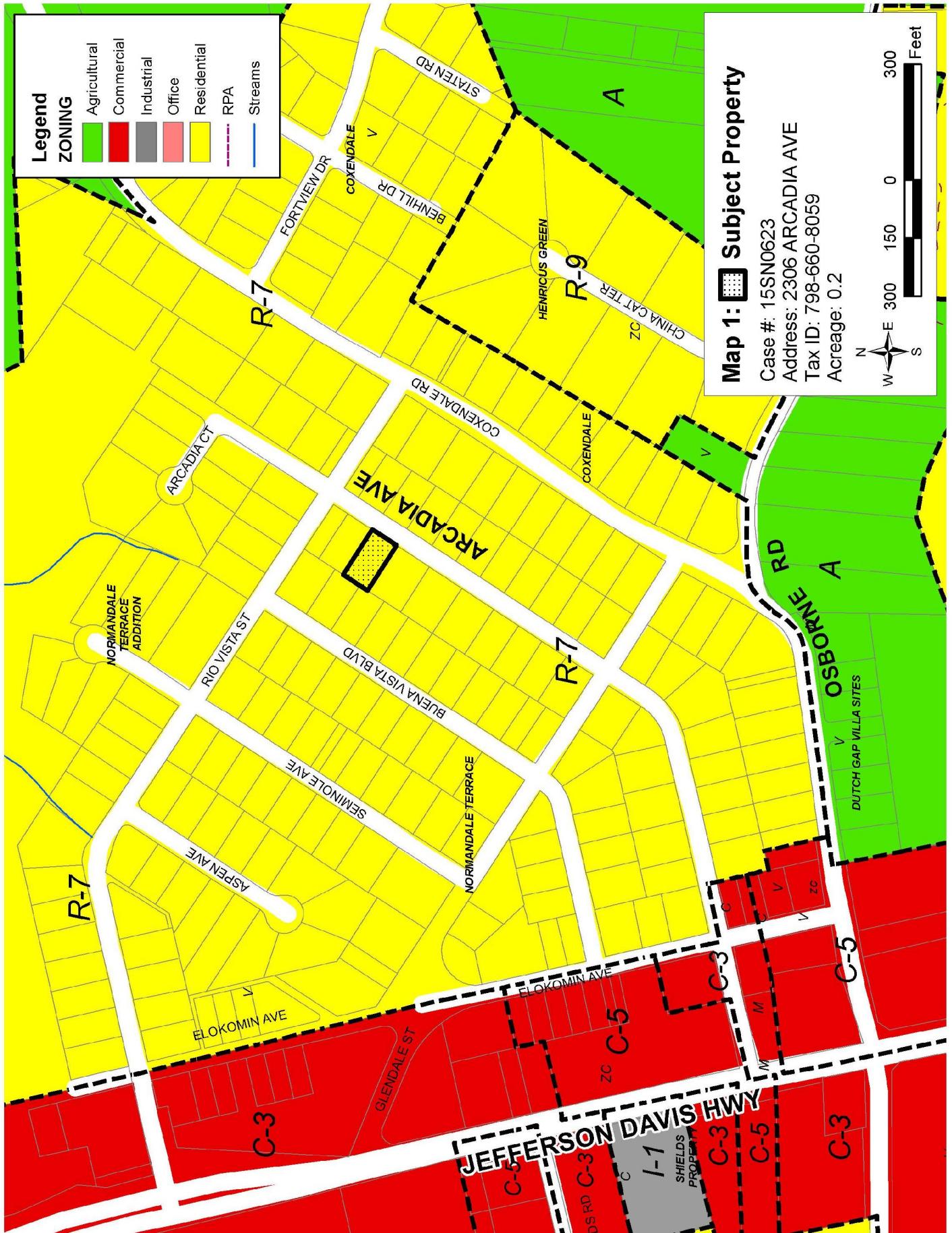
RECOMMEND APPROVAL

STAFF

RECOMMEND APPROVAL

- As conditioned, the use should be compatible with surrounding residential development
- The residential character of the area will be maintained

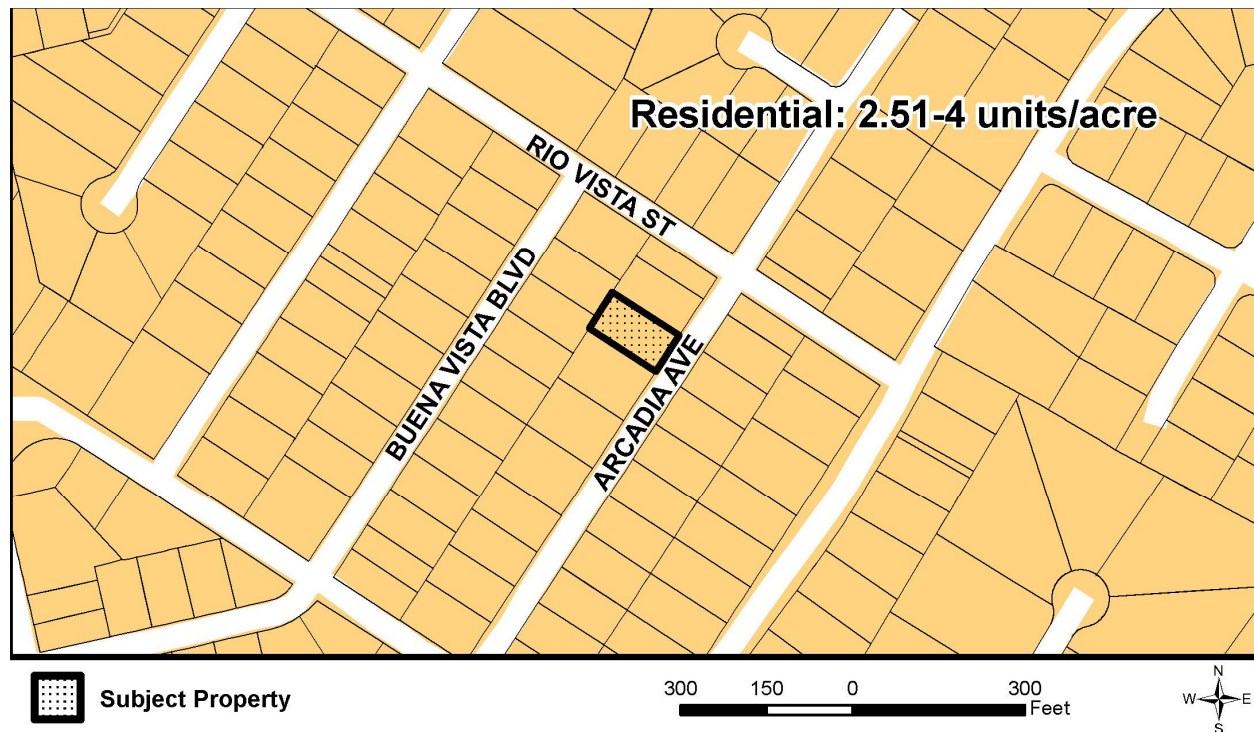
SUMMARY OF IDENTIFIED ISSUES	
Department	Issue
PLANNING	<p>Except for equipment setbacks for outdoor play areas and employees, the proffered conditions ensure compliance with family day-care home standards established by the Planning Commission.</p> <ul style="list-style-type: none"> Equipment for Outdoor Play Areas – Equipment shall be located no closer than ten (10) feet to the side and rear property lines. The typical setback is fifteen (15) feet to the side and rear property lines. Employees – Includes one (1) off-site employee, who does not reside on the premises. Typically, no off-site employees are permitted.
FIRE	-
CDOT	-
VDOT	-
UTILITIES	-
ENVIRONMENTAL ENGINEERING	-



Map 2: Comprehensive Plan (The Northern Jefferson Davis Plan)

Classification: **RESIDENTIAL**

The designation suggests the property is appropriate for 2.51 to 4.0 dwellings per acre.



Map 3: Surrounding Land Uses & Development



PLANNING

Staff Contact: Ryan Ramsey (804-768-7592) ramseyrp@chesterfield.gov

PROPOSAL

The Zoning Ordinance permits the keeping of a maximum of five (5) children at any one (1) time, exclusive of the occupants' children and any children who reside in the home, by right in a residential district. The applicant currently operates a State licensed family day care home for up to twelve (12) children. Approval of this request would permit the keeping of a maximum of twelve (12) children at any one (1) time, excluding the applicant's children and any children who reside in the home.

The following provides an overview of the conditions offered by the applicant to mitigate the impact of the use on area properties:

General Overview	
Requirements	Details
Non-Transferable	Use limited to applicant only <i>Proffered Condition 1</i>
Limitation on Size	No exterior additions or alterations to existing structure <i>Proffered Condition 2</i>
Signage	None permitted <i>Proffered Condition 3</i>
Number of Children	Maximum of twelve (12) <i>Proffered Condition 4</i>
Hours of Operation	Monday through Friday from 6 a.m. to 6 p.m. <i>Proffered Condition 5</i>
Time Limitation	Ten (10) years <i>Proffered Condition 6</i>
Fence and Outdoor Play Areas	<ul style="list-style-type: none">Fence around outdoor play and/or recreational equipment areasLocated in rear or side yard and no closer than ten (10) feet to rear or side property line <i>Proffered Condition 7</i>
Employees	No more than one (1) employee permitted, other than family member employees who reside on the premises <i>Proffered Condition 8</i>

PUBLIC FACILITIES

FIRE SERVICE

Staff Contact: Greg Smith (804-706-2012) smithgd@chesterfield.gov

Nearby Fire and Emergency Medical Service (EMS) Facilities

Fire Station	The Dutch Gap Fire Station, Company Number 14
EMS Facility	The Bensley-Bermuda Volunteer Rescue Squad

This request will have minimal impact on Fire and EMS.

COUNTY DEPARTMENT OF TRANSPORTATION

Staff Contact: Jim Banks (804-748-1037) banksj@chesterfield.gov

The Comprehensive Plan, which includes the Thoroughfare Plan, identifies county-wide transportation needs that are expected to mitigate traffic impacts of future growth. The anticipated traffic impact of the proposal has been evaluated and it is anticipated to be minimal.

VIRGINIA DEPARTMENT OF TRANSPORTATION

Staff Contact: Brian Lokker (804-674-2384) brian.lokker@vdot.virginia.gov

VDOT Land Use Regulations

Traffic Impact Analysis (24VAC30-155)	-
Access Management (24VAC30-73)	-
Subdivision Street Acceptance (24VAC30-91/92)	-
Land Use Permit (24VAC30-151)	-
Summary	VDOT has no comment on this request.

WATER AND WASTEWATER SYSTEMS

Staff Contact: Jamie Bland (804-751-4439) blandj@chesterfield.gov

The proposal's impacts on the County's utility system are detailed in the chart below:

Water and Wastewater Systems			
	Currently Serviced?	Size of Existing Line	Connection Required by County Code?
Water	Yes	6"	Yes
Wastewater	No	NA	No

Additional Information:

The proposed request will not impact the public water and wastewater systems.

ENVIRONMENTAL

Drainage, Erosion and Water Quality

Staff Contact: Doug Pritchard (804-748-1028) pritchardd@chesterfield.gov

Environmental Engineering has no comment on this request.

CASE HISTORY	
Applicant Submittals	
1/30/15	Application submitted
3/12/15	Proffers were submitted
Community Meeting	
4/1/15	Issues Discussed <ul style="list-style-type: none"> Bermuda Planning Commissioner, applicant and staff attended this meeting at the Chester Library No citizens from the community attended this meeting
Planning Commission Meetings	
4/21/15	Citizen Comments No citizens spoke to this case. Commission Discussion The Commission noted their support for this case: <ul style="list-style-type: none"> Community meeting was conducted No opposition to request Conditions will continue to minimize impacts on adjacent properties Recommendation – APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITIONS IN ATTACHMENT 1 Motion: Patton; Seconded: Wallin AYES: Gulley, Waller, Brown, Patton and Wallin
The Board of Supervisors on Wednesday, May 27, 2015, beginning at 6:30 p.m., will consider this request.	

PROFFERED CONDITIONS

Note:

"STAFF/CPC" – Recommended by both staff and Planning Commission

- | | | |
|-------------|----|---|
| (STAFF/CPC) | 1. | <u>Non-Transferable Ownership</u> : This conditional use approval shall be granted to and for Wilma Raucci, exclusively, and shall not be transferable nor run with the land. (P) |
| (STAFF/CPC) | 2. | <u>Expansion of Use</u> : There shall be no exterior additions or alterations to the existing structure to accommodate this use. (P) |
| (STAFF/CPC) | 3. | <u>Signage</u> : There shall be no signs permitted to identify this use. (P) |
| (STAFF/CPC) | 4. | <u>Number of Children</u> : This conditional use approval shall be limited to providing care, protection and guidance to a maximum of twelve (12) children, other than the applicant's own children, at any one time. (P) |
| (STAFF/CPC) | 5. | <u>Hours of Operation</u> : Hours and days of operation shall be limited to Monday through Friday from 6 a.m. to 6 p.m. There shall be no Saturday or Sunday operation of this use. (P) |
| (STAFF/CPC) | 6. | <u>Time Limitation</u> : This conditional use approval shall be granted for a period not to exceed ten (10) years from the date of approval. (P) |
| (STAFF/CPC) | 7. | <u>Fenced Outdoor Play Areas</u> : Any outdoor play area and/or recreational equipment utilized by the family day-care home shall be located in the side or rear yard of the property. Outdoor play and/or recreational equipment areas shall have perimeter fencing of at least four feet in height, installed around the equipment or play area. Equipment for outdoor play areas shall be located no closer than ten (10) feet to the side or rear property lines. (P) |
| (STAFF/CPC) | 8. | <u>Employees</u> : No more than one (1) employee shall be permitted to work on the premises, other than family member employees that live on the premises. (P) |